



#16  
Dmt  
8801

PATENT  
Attorney Docket No.: FIBRO1130-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Grotendorst and Neff  
Application No.: 09/461,646  
Filed: December 14, 1999  
Title: CONNECTIVE TISSUE GROWTH FACTOR FRAGMENTS AND METHODS OF USES THEREOF

Art Unit: 1647  
Examiner L. Spector

RECEIVED

Commissioner for Patents  
Washington, D.C. 20231

AUG 07 2001

TECH CENTER 1600/2900

RESPONSE TO THE RESTRICTION REQUIREMENT

Sir:

Responsive to the Restriction Requirement mailed February 28, 2001 (Paper No. 14), in connection with the above-identified patent application, consideration of the following remarks is respectfully requested.

Pursuant to the restriction requirement, Applicants elect with traverse the claims of Group I, claims 1 to 5, directed to CTGF fragments and nucleic acids encoding such fragments. The restriction requirement is traversed with respect to Groups II and IV because the CTGF fragments of Group I are required to produce the antibodies that are the subject matter of Group II and that are required for practicing the methods of Group IV. As such, a search relevant to Group I would identify references relevant to the examination of Groups II and IV.

The restriction requirement is traversed with respect to Group III because the nucleic acid molecules of Group I include sequences complementary to the coding strand and, therefore, sequences that would be encompassed within the antisense molecules of Group III. As such, a search relevant to Group I would of necessity identify references relevant to the examination of Group III.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, July 30, 2001, in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231

*Aldon Griffis*

Aldon Griffis

July 30, 2001

In re Application of: Grotendorst and Neff  
Application No.: 09/461,646  
Filed: December 14, 1999  
Page 2

PATENT  
Attorney Docket No.: FIBRO1130-2

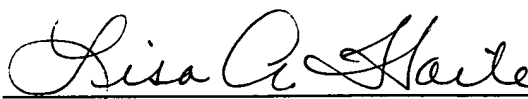
The restriction requirement is traversed with respect to Group V because the CTGF fragments of Group I are required to practice the methods of Group V. As such, a search relevant to Group I again would of necessity identify references relevant to the examination of Group V.

For the above reasons, it is submitted that it would not constitute an undue burden to examine the claims of Groups II, III, IV, and V with those of elected Group I and, therefore, is respectfully requested that the Examiner reconsider and withdraw the restriction requirement. In particular, it is submitted that the subject matter of Group V is so closely related to that of Group I that rejoining the claims of Groups I and V together for examination would not be an undue burden and would prevent a duplicative effort on the part of the U.S. Patent and Trademark Office.

Although no fee other than that for the extension of time is deemed necessary in connection with the filing of this Response, if any additional fee is required, the Commissioner is authorized to charge any fee (or credit any overpayment) to Deposit Acct. No. 50-1355. The Examiner is invited to contact Applicants' undersigned representative if there are any questions relating to this application.

Respectfully submitted,

Dated: July 30, 2001



Lisa A. Haile, Ph.D.  
Reg. No. 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-9931

**Customer Number: 28213**